



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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R. ALEXANDER ACOSTA, Secretary of Labor,
United States Department of Labor,

Plaintiffs,

15 **CIVIL** 4655 (JCF)

-against-

JUDGMENT

MANNA 2ND AVENUE LLC dba GINA LA
FORNARINA, MANNA MADISON AVENUE
LLC dba GINA LA FORNORINA, MANNA
AMSTERDAM AVENUE LLC dba GINA LA
FORNARINA, MANNA LEXINGTON
AVENUE LLC dba GINA LA FORNARINA,
and PAOLA PEDRIGNANIM, Individually
and as Owner,

Defendants.
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Whereas most claims having been resolved by summary judgment or stipulation; the sole remaining issue – whether the defendants’ failure to pay all required overtime during the period June 16, 2012, through June 15, 2013, was willful – was tried without a jury on July 31 and August 1, 2017, and the matter having come before the Honorable James C. Francis IV, United States Magistrate Judge, and the Court, on October 12, 2017, having issued its Opinion and Order that for the reasons set forth, and consistent with the prior rulings of the Court and stipulations of the parties, judgment shall be entered in favor of the Secretary and against the defendants, jointly and severally as follows:

1. \$101,532.90 in unpaid overtime wages owed for the period June 16, 2013 through June 15, 2013;
2. \$101,532.90 in liquidated damages for the period June 16, 2012 through June 16, 2013;
3. \$45,101.42 in back wages previously awarded by the Court on summary judgment;

4. \$45,101.42 in liquidated damages previously awarded by the Court on Summary Judgment;
 5. \$35,007.68 in overtime wages owed to the non-exempt salaried pizza chefs as stipulated in the Joint Pretrial Order, § VI (9);
 6. \$35,007.68 in liquidated damages owed to the non-exempt salaried pizza chefs as stipulated in the Joint Pretrial Order, §VI (9);
 7. enjoining the defendants, their officers, agents, servants, employees, and those persons in active concert or participation with the defendants from violating the provisions of sections 6, 7, 11(c), 15(a)(3), 15(a) (3), and 15 (a) (5) of the Fair Labor Standards Act; and
- directing the Clerk of Court to enter judgment accordingly and close this case, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Opinion and Order dated October 12, 2017, judgment is hereby entered in favor of the Secretary and against the defendants jointly and severally as follows:

1. \$101,532.90 in unpaid overtime wages owed for the period June 16, 2013 through June 15, 2013;
2. \$101,532.90 in liquidated damages for the period June 16, 2012 through June 16, 2013;
3. \$45,101.42 in back wages previously awarded by the Court on summary judgment;
4. \$45,101.42 in liquidated damages previously awarded by the Court on Summary Judgment;
5. \$35,007.68 in overtime wages owed to the non-exempt salaried pizza chefs as stipulated in the Joint Pretrial Order, § VI (9);
6. \$35,007.68 in liquidated damages owed to the non-exempt salaried pizza chefs as stipulated in the Joint Pretrial Order, §VI (9);

7. Defendants, their officers, agents, servants, employees, and those persons in active concert or participation with the defendants are enjoined from violating the provisions of sections 6, 7, 11(c), 15(a)(3), 15(a) (3), and 15 (a) (5) of the Fair Labor Standards Act; accordingly, this case is closed.

DATED: New York, New York
October 16, 2017

RUBY J. KRAJICK

Clerk of Court

BY:

Deputy Clerk

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON 10/16/2017